THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.18699 of 2005

24-08-2005

Between:

P.Gopal

... PETITONERS

AND

1.The Assistant Commissioner of Labour, Khammam, Khammam District and others.

.....RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Writ Petition No.18699 of 2005

ORDER:

This writ petition is filed seeking writ of Mandamus declaring the action of the first respondent in not sending the failure report to the Government for reference as required under Sections 12 (3) and 12 (4) of the Industrial Disputes Act, 1947 as illegal, arbitrary and unjust; and consequently sought for a direction to the first respondent to send the failure report to the Government.

According to the petitioner-Union, on its representation, conciliation proceedings were initiated by the first respondent with reference to the punishment imposed in respect of one of the workmen. Though conciliation proceedings were conducted, thereafter the first respondent did not take any further steps. As there was no settlement of the dispute, the failure report has to be referred to the Government for reference to appropriate Tribunal.

At the time of hearing, it is represented by the learned counsel for the petitioner that in the conciliation proceedings, the respondent-Corporation filed a counter disputing the claim of the petitioner and there was no settlement of the dispute. The said proceedings were conducted on 07.01.2003. Thereafter, no action was taken by the first respondent.

Under the above circumstances, the matter is heard and is disposed of at the admission stage itself directing the first respondent to pass appropriate orders and to communicate the same to the State Government expeditiously, preferably within a period of two weeks from the date of receipt of a copy of this order. No costs.

24.08.2005

VGB